

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - DETROIT**

In re: Sallie Ann Otis-Cooley

Case No. 19-40158-MAR

Chapter 13

Debtor.

Judge: Hon. Mark A. Randon

**DEBTOR'S OBJECTION TO THE PROOF OF CLAIM #2 OF HUNTINGTON
NATIONAL BANK**

NOW COMES debtor Sallie Ann Otis -Cooley, by and through her attorney, Detroit Lawyers PLLC, and objects to the Proof of Claim filed by #2 filed by Huntington National Bank, and in support thereof states as follows:

1. Debtor Sallie Otis-Cooley filed for Chapter 13 bankruptcy protection in this case on January 9, 2019.

2. That at the time of filing, Sallie Otis-Cooley knew of no other liabilities than those listed on the Schedule F of the bankruptcy petition.

3. On January 11, 2019, Huntington National Bank ("Huntington") filed a proof of claim in this bankruptcy case.

4. The basis for the claim is listed as "Judgment."

5. The proof of claim states that the amount owing as of the date the petition was filed is \$54,566.69.

6. Attached as an Exhibit to the Proof of Claim is a Judgment that is not clearly legible, but appears to purport that a judgment was entered into against Defendant(s) Valerie R. Cooley and "Sallies and All That".

7. There is no documentation accompanying the Proof of Claim that purports that Sallie Ann Otis-Cooley has an obligation on this judgment.

8. Because there is no writing showing Sallie Ann Otis Cooley's liability attached for Huntington National Bank's claim, the claim amount filed is not entitled to a presumption of validity. In re Burkett, 329 B.R. 820, 829-30 (Bankr. N.D. Ohio 2005), In re Moreno, 341 B.R. 813, 817 (Bankr. S.D. Fla. 2006), In re Guidry, 321 B.R. 712, 715 (Bankr. N.D. Ill 2005).

WHEREFORE, the debtor prays that this Honorable Court disallow the Proof of Claim filed by Huntington National Bank's Proof of Claim #2 shall be disallowed.

Respectfully submitted,

/s/ Drew P. Millitello
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